IN THE CLAIMS:

1. (Currently amended) A method for discovering status of a network topology, comprising the steps of:

presenting an interface having a menu, the menu having a plurality of alternative discovery methods;

responsive to user input, establishing an order in which the alternative discovery methods should be performed; ~~and~~

executing the alternative discovery methods in the established order;

maintaining a dynamically gathered record of devices which are compliant to at least one of a first discovery method and a second discovery method; and

using an appropriate discovery method for a given device according to the dynamically gathered record, wherein a first device of the devices is accessed using the first discovery method and a second device of the devices is accessed using the second discovery method.

2. (Currently amended) The method as recited in claim 1, further comprising:

maintaining a record of devices in the network which are discovered through ~~a~~ the first discovery method; and

removing those devices in the record from discovery through ~~a~~ the second discovery method.

3. (Cancelled)

4. (Currently amended) The method as recited in claim ~~3~~ 1, further comprising:

altering the established order ~~of the devices in the network~~ according to a first number of devices compliant to the first discovery method and a second number of devices compliant to the second discovery method according to the record.

5. (Previously presented) The method as recited in claim 1, wherein the alternative discovery methods that are executed in the established order are at least two of a simple

PAGE 4/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50

network management protocol (SNMP), an Internet protocol packet Internet Groper (IP ping), a point-to-point over ethernet (PPPoc), and a dynamic host configuration protocol (DHCP).

6. (Currently amended) The method as recited in claim 1, further comprising:

modifying the established order of the alternative discovery methods that was used in the step of executing the alternative discovery methods based on ~~a predetermined criteria~~ network response time for at least some of the devices.

7. (Cancelled)

8. (Previously presented) A method for discovering status of a network topology, comprising the steps of:

discovering a status for an existing network topology;

determining a next discovery action based on an event; and

determining, from a plurality of network access policies, a network access policy that is to be used when performing the next discovery action, the network access policy determination being based on a network response time, wherein the network response time is further based on at least one of a previous status of the existing network topology and a discovery event.

9. (Original) The method as recited in claim 8, wherein the event is one of a data gathering event, a discovery event and a configuration event.

10. (Original) The method as recited in claim 8, wherein determining the policy based on a network response time is determined by a count of devices within the network.

11. (Original) The method as recited in claim 8, wherein determining the policy based on a network response time is determined by relative abilities of devices in the network.

PAGE 5/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50

12. (Previously presented) The method as recited in claim 8, further comprising:

storing the status for the existing network topology; and

developing an order of relative capabilities for a managed device as compared to other device or devices in the network.

13. (Currently amended) The method as recited in claim 8, wherein discovering a status for an existing network topology further includes ~~employing~~ reverting from using a plurality of device status gathering techniques to using a single device status gathering technique if a count of devices left to discover is less than a predetermined amount.

14. (Original) The method as recited in claim 13, wherein the status gathering technique is an Internet protocol packet Internet Groper (IP ping).

15. (Original) The method as recited in claim 8, wherein discovering a status for an existing network topology further includes employing a multiple device status gathering technique if a count of devices left to discover is more than a predetermined amount.

16. (Original) The method as recited in claim 15, wherein the status gathering technique is a simple network management protocol (SNMP).

17. (Currently amended) The method as recited in claim 8, wherein discovering a status for an existing network topology includes determining a best order to discover the status for the existing network topology, wherein the best order is based upon relative capabilities of network devices as determined in a previous discovery of the network topology.

18. (Currently amended) A computer program product in a tangible computer-readable medium for discovering status of a network topology, comprising:

instructions for presenting an interface having a menu, the menu having a plurality of alternative discovery methods;

PAGE 6/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50

instructions, responsive to user input, for establishing an order in which the alternative discovery methods should be performed; ~~and~~

instructions for executing the alternative discovery methods in the established order;

instructions for maintaining a dynamically gathered record of devices which are compliant to at least one of a first discovery method and a second discovery method; and

instructions for using an appropriate discovery method for a given device according to the dynamically gathered record, wherein a first device of the devices is accessed using the first discovery method and a second device of the devices is accessed using the second discovery method.

19. (Currently amended) The computer program product as recited in claim 18, further comprising:

instructions for maintaining a record of devices in the network which are discovered through ~~a~~ the first discovery method; and

instructions for removing those devices in the record from discovery through ~~a~~ the second discovery method.

20. (Cancelled)

21. (Currently amended) The computer program product as recited in claim ~~20~~ 18, further comprising:

instructions for altering the established order ~~of the devices in the network~~ according to a first number of devices compliant to the first discovery method and a second number of devices compliant to the second discovery method according to the record.

22. (Previously presented) The computer program product as recited in claim 18, wherein the alternative discovery methods that are executed in the established order are at least two of a simple network management protocol (SNMP), an Internet protocol packet

PAGE 7/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50

Internet Groper (IP ping), a point-to-point over ethernet (PPPoe), and a dynamic host configuration protocol (DHCP).

23. (Currently amended) The computer program product as recited in claim 18, further comprising:

instructions for modifying the established order of the alternative discovery methods that was used by the instructions for executing the alternative discovery methods based on ~~a predetermined criteria~~ network response time for at least some of the devices.

24. (Cancelled)

25. (Currently amended) A computer program product in a tangible computer-readable medium for discovering status of a network topology, comprising:

instructions for discovering a status for an existing network topology;

instructions for determining a next discovery action based on an event; and

instructions for determining, from a plurality of network access policies, a network access policy that is to be used when performing the next discovery action, the network access policy determination being based on a network response time, wherein the network response time is further based on at least one of a previous status of the existing network topology and a discovery event.

26. (Original) The computer program product as recited in claim 25, wherein the event is one of a data gathering event, a discovery event and a configuration event.

27. (Original) The computer program product as recited in claim 25, wherein determining the policy based on a network response time is determined by a count of devices within the network.

28. (Original) The computer program product as recited in claim 25, wherein determining the policy based on a network response time is determined by relative abilities of devices in the network.

PAGE 8/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50

29. (Previously presented) The computer program product as recited in claim 25, further comprising:

instructions for storing the status for the existing network topology; and

instructions for developing an order of relative capabilities for a managed device as compared to other device or devices in the network.

30. (Currently amended) The computer program product as recited in claim 25, wherein discovering a status for an existing network topology further includes ~~employing~~ reverting from using a plurality of device status gathering techniques to using a single device status gathering technique if a count of devices left to discover is less than a predetermined amount.

31. (Original) The computer program product as recited in claim 30, wherein the status gathering technique is an Internet protocol packet Internet Groper (IP ping).

32. (Original) The computer program product as recited in claim 25, wherein discovering a status for an existing network topology further includes employing a multiple device status gathering technique if a count of devices left to discover is more than a predetermined amount.

33. (Original) The computer program product as recited in claim 32, wherein the status gathering technique is a simple network management protocol (SNMP).

34. (Currently amended) The computer program product as recited in claim 25, wherein discovering a status for an existing network topology includes determining a best order to discover the status for the existing network topology, wherein the best order is based upon relative capabilities of network devices as determined in a previous discovery of the network topology.

PAGE 9/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50

35. (Currently amended) A system for discovering status of a network topology, comprising:

presenting means for presenting an interface having a menu, the menu having a plurality of alternative discovery methods;

establishing means, responsive to user input, for establishing an order in which the alternative discovery methods should be performed; ~~and~~

executing means for executing the alternative discovery methods in the established order;

maintaining means for maintaining a dynamically gathered record of devices which are compliant to at least one of a first discovery method and a second discovery method; and

using means for using an appropriate discovery method for a given device according to the dynamically gathered record, wherein a first device of the devices is accessed using the first discovery method and a second device of the devices is accessed using the second discovery method.

36. (Previously presented) A system for discovering status of, and then monitoring, a network, comprising:

discovering means for discovering a status for an existing network topology;

determining means for determining, from a plurality of network access policies, a particular network access policy that is to be used when monitoring particular ones of a plurality of network objects within the network topology, the network access policy determination being based on a network response time, wherein the network response time is further based on at least one of a previous status of the existing network topology and a discovery event; and

monitoring means for monitoring the network objects using the network access policies that were determined to be used for the particular ones of the network objects.

PAGE 10/19 * RCVD AT 8/3/2005 1:47:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/29 * DNIS:2738300 * CSID:9723857766 * DURATION (mm-ss):05-50